

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Confirmation No: 9098

Foti *et al.*

Group Art Unit: Unknown

Application Serial No.: 10/530,658

Examiner: Unassigned

Filed: April 7, 2005

Attorney Docket No.: 100506-00025

For: Photoprotein with Improved Bioluminescence

April 20, 2006

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Mail Stop SEQUENCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Defective Response dated March 29, 2006

(copy attached), the following is enclosed:

"Sequence Listing" in computer readable form

The content of the sequence listing information recorded in computer readable form is identical to the paper copy previously submitted.

The Examiner is respectfully requested to acknowledge that all of the requirements of 35 U.S.C. §371 have been met.

The applicants believe that no fee is due. If a fee is required, it may be charged to Deposit Account No. 01-2300, referencing Attorney Docket No. 100506-00025.

Application Serial No.: 10/530,658
Inventor(s): Foti *et al.*
Attorney Docket No.: 100506-00025

If this response is not timely filed, the applicants respectfully petition for an appropriate extension of time. The fee for this extension may also be charged to Deposit Account No. 01-2300, referencing Attorney Docket No. 100506-00025.

Respectfully submitted,

ARENT FOX PLLC

A handwritten signature in black ink, appearing to read "Richard J. Berman", is written over a horizontal line.

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UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/530,658	Maria Foti	100506-00025

004372
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INTERNATIONAL APPLICATION NO.	
PCT/EP03/11626	
I.A. FILING DATE	PRIORITY DATE
10/21/2003	10/21/2002

CONFIRMATION NO. 9098
371 FORMALITIES LETTER



Date Mailed: 03/29/2006

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 04/07/2005
- Copy of the International Search Report filed on 04/07/2005
- Preliminary Amendments filed on 04/07/2005
- Information Disclosure Statements filed on 04/07/2005
- Oath or Declaration filed on 04/07/2005
- Biochemical Sequence Listing filed on 11/07/2005
- Request for Immediate Examination filed on 04/07/2005
- U.S. Basic National Fees filed on 04/07/2005
- Assignment filed on 04/07/2005
- Priority Documents filed on 04/07/2005

Applicant's response filed 11/07/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 09/12/2005 have not been completed.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing

Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/530,658	PCT/EP03/11626	100506-00025